



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No: 10/602,118)
)
Applicant: A. Satyanarayan Naidu)
)
Filed: June 23, 2003)
) Russel, Jeffrey E.
Title: TREATMENT OF CASE-READY) Patent Examiner
FOOD PRODUCTS WITH) Art Unit: 1654
IMMOBILIZED LACTOFERRIN)
(Im-LF) AND THE PRODUCTS SO)
PRODUCED)
)
Atty Dkt #: 50046290-0017 (UT-104823))
_____)

**PETITION TO CORRECT REFERENCE TO PRIOR
NON-PROVISIONAL APPLICATIONS [37 CFR SEC. 1.78(a)(3)]**

Mail Stop - PETITIONS
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under 37 CFR §1.78(a)(3) to correct the references to prior non-provisional applications which were made in the above-captioned application at the time it was filed. In accordance with 37 CFR §1.78(a)(3) we provide:

- i. The reference required by 35 U.S.C. 120 and 37 CFR §1.78(a)(2) to the prior filed application:

The within invention is a continuation-in-part of U.S. Application No. 09/980,062 filed May 10, 2002, which was the National Stage of International Application

Void date: 01/06/2005 MAHME1

~~01/06/2005 MAHME1-00000038 10602118~~
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Page 1 of 2

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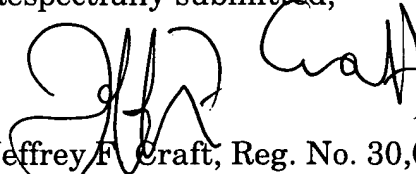
Appl. No. 10/602,118
Filed: 06/23/2003
Atty Dkt: 50046290-0017 (UT-104823)
Petition to Correct Reference to Prior Non-
Provisional Applications [37 CFR Sec.
1.78(a)(3)]

Russel, Jeffrey E., Patent Examiner
Art Unit 1654
Title: TREATMENT OF CASE-READY FOOD
PRODUCTS WITH IMMOBILIZED LACTOFERRIN
(~~Im~~-LF) AND THE PRODUCTS SO PRODUCED

No. PCT/US00/14818, which was a continuation-in-part of U.S. Application No. 09/322,700 filed May 28, 1999, now U.S. Patent No. 6,172,040, which are hereby incorporated by this reference.

- ii. The surcharge set forth in §1.17(t) in the form of attached check No. 53266 for \$1,370; and,
- iii. A statement by Jeffrey F. Craft concerning the delay.

Respectfully submitted,



Dated: December 30, 2004

Jeffrey F. Craft, Reg. No. 30,044
Attorney for Applicant
Nordman, Cormany, Hair & Compton
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Oxnard, CA 93031-9100
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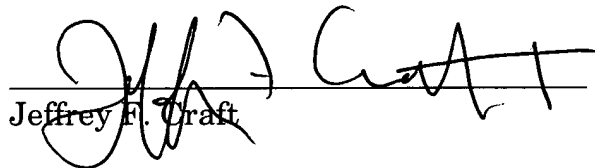


STATEMENT OF JEFFREY F. CRAFT

The undersigned makes the following statement in accordance with 37 CFR §1.78(a)(3):

My name is Jeffrey F. Craft, Registration No. 30,044. On June 23, 2003, I filed U.S. Patent Application No. 10/602,118 on behalf of the inventor, A. Satyanarayan Naidu, and have from that date been the attorney of record. Concerning the delay in providing the reference to prior non-provisional applications in this application, the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date of this Petition was unintentional.

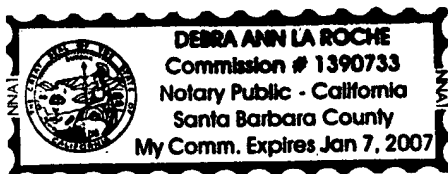
Executed on December 30, 2004, at Oxnard, California.

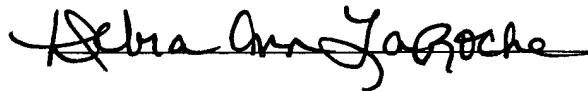

Jeffrey F. Craft

STATE OF CALIFORNIA)
)
COUNTY OF VENTURA)

On 12/30/04, before me, DEBRA ANN LAROCHE, Notary Public, personally appeared **Jeffrey F. Craft**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.







DAC#
Jm

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/602,118

Filing Date

06/23/2003

First Named Inventor

A. Satyanarayan Naidu

Art Unit

1654

Examiner Name

Russel, Jeffrey E.

Attorney Docket Number

50046290-0017 (UT-104823)

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☒

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☒

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Petition to Correct Reference to Prior Non-
Provisional Applications; Notarized
Statement of Jeffrey F. Craft; Check 53266
for \$1,370; postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Nordman, Cormany, Hair & Compton

Signature

Printed name

Jeffrey F. Craft

Date

December 30, 2004

Reg. No.

30,044

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Tawny Bryant-Schreck

Date

12/30/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.